

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PATENT APPLICATION FEE DETERMINATION RECORD**  
Substitute for Form PTO-875

Application or Docket Number  
**10/660079**

**CLAIMS AS FILED - PART I**  
(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	19	0
INDEPENDENT CLAIMS (37 CFR 1.16(d))	1	0
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(e))		

**SMALL ENTITY**

RATE	FEE
	\$
X \$	
X \$	
+ \$	
TOTAL	

OR

**OTHER THAN SMALL ENTITY**

RATE	FEE
	750
X \$	
X \$	
+ \$	
TOTAL	750

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**CLAIMS AS AMENDED - PART II**

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	19	20	0
Independent (37 CFR 1.16(d))	3	3	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))			

**SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	
X \$	
+ \$	
TOTAL ADD'L FEE	

OR

**OTHER THAN SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	0
X \$	0
+ \$	
TOTAL ADD'L FEE	0

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	26	20	6
Independent (37 CFR 1.16(d))	4	3	1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))			

**SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	
X \$	
+ \$	
TOTAL ADD'L FEE	

OR

**OTHER THAN SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	360.00
X \$	200.00
+ \$	
TOTAL ADD'L FEE	560.00

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))			
Independent (37 CFR 1.16(d))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(e))			

**SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	
X \$	
+ \$	
TOTAL ADD'L FEE	

OR

**OTHER THAN SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	
X \$	
+ \$	
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

United States Patent and Trademark Office  
- Sales Receipt -

10/19/2005 BHINES 00000001 032060 10660079

01 FC:1201	200.00	DA
02 FC:1202	300.00	DA

**RECEIVED**  
**CENTRAL FAX CENTER**

**OCT 12 2005**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: THEWES, et al.

Docket: 2002DE133

Serial No. 10/660,079

Group Art Unit: 1714

Filed: 09/11/2003

Examiner: Thexton, Matthew

For: Fire-Protection Coating

**AMENDMENT**

Mail Stop:  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed May 13, 2005, please amend the application as follows:

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10**

I hereby certify that this correspondence is, on the date shown below, is being transmitted by facsimile to Centralized Facsimile Number, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Fax No. 703-872-9306 (11 pages)

Vicki L. Sgro: 

Date: October 12, 2005

**BEST AVAILABLE COPY**

Attorney's Docket: 2002DE133  
Serial No.: 10/660,079  
Group: 1714


**Statement of Reasons for Indication of Allowable Subject Matter**

In the section entitled "Statements of Reasons For Indication of Allowable Subject Matter," the Office states, "however, there is no suggestion in the prior art considered to employ aluminum diethylphosphinate for any purpose in coating materials having a film-forming binder." Applicants assert that independent claim 16 independently patentable without reference to aluminum diethylphosphinate.

The Commissioner is hereby authorized to charge deposit account 03-2060 \$250.00 for the 5 additional dependent claims. The Commissioner is also authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

In view of the forgoing amendments and remarks, the present application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he/she is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,

  
Anthony A. Bisulca  
Attorney for Applicant  
Registration No. 40,913

**(CUSTOMER NUMBER 25,255)**

Clariant Corporation  
Industrial Property Department  
4000 Monroe Road  
Charlotte, North Carolina 28205  
Phone: (704) 331-7161  
Fax: (704) 331-7707